

**From:** [grish.org](http://grish.org)  
**To:** [Casey Luckett/R6/USEPA/US@EPA](mailto:Casey.Luckett/R6/USEPA/US@EPA)  
**Cc:** [grish.org](http://grish.org)  
**Subject:** Fwd: Arkwood deed restriction amendment  
**Date:** 01/11/2012 09:42 PM  
**Attachments:** [20013YF0-2.pdf](#)  
[Arkwood\\_BdryMod\\_Nov2009\\_from\\_6\\_30\\_2009\\_survey-2.pdf](#)  
[ARKWOOD\\_MAP1.pdf](#)  
[Site\\_Map\\_from\\_2nd\\_5-year.pdf](#)  
[Recorded\\_Grisham\\_Deed\\_Notice.pdf](#)  
[map\\_from\\_RPM\\_updates.pdf](#)  
[Map\\_from\\_Third\\_Five\\_Year\\_Review.pdf](#)

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Casey, FYI  
Curt

Begin forwarded message:

**From:** "grish.org" <[curt@grish.org](mailto:curt@grish.org)>  
**Date:** January 11, 2012 2:14:43 PM PST  
**To:** [Moran.Gloria-Small@epamail.epa.gov](mailto:Moran.Gloria-Small@epamail.epa.gov)  
**Cc:** "grish.org" <[curt@grish.org](mailto:curt@grish.org)>  
**Subject:** Arkwood deed restriction amendment

Dear Ms. Moran,

Attached is the original ROD downloaded from the EPA's site at <http://nepis.epa.gov>

This document describes the Arkwood Superfund site as follows:

"The site is relatively flat and gently sloped to the northwest, having been excavated for fill for the railroad. It is roughly triangular shaped and covers approximately 15 acres. It is surrounded by hilly terrain dominated by ridges and steep-sided valleys."

All the maps of the ROD pertain only to the flat part of the site, which is the superfund site.

However, at some point, the entire parcel came to be included in discussion and reference to Arkwood Superfund site, nearly doubling the defined area to some 30 acres by including a wooded hill that was not part of the original operation, has never been used, is basically inaccessible from the site of the former plant due to its topography, and now needs to be separated from the description of the Superfund Site into which at some point it erroneously (I believe) got lumped together.

Please see the attached maps for reference and comparison along with the maps included in the attached ROD, all of which exclude the wooded, hilly portions and in fact largely cut that part out of their graphical depiction of the 15-acre superfund site. The color aerial map provided to me in 2010 by Mr. Don Williams (a dark copy of which is recorded with deed restriction currently) clearly shows the wooded hill, incorrectly included by the time of this aerial in the Arkwood Superfund site.

The Institutional Control/ Deed Restriction as agreed with EPA and recorded by the owner in 2010 for Arkwood incorrectly includes all 30 acres, and the legal description is taken from the attached 2009 survey performed by Huston Surveying of Omaha, Arkansas and (titled "Survey for McKesson Inc" at the top of the document ) which

incorrectly included the wooded hilly portion, as does the 2009 color aerial from EPA.

I would like to see this error corrected in the next iteration of the Deed Restriction to be developed by EPA with ADEQ & PRP participation and recorded with EPA authorization by the owner to supersede the IC currently in place (attached.)

Please let me know if I may be of further assistance.

Sincerely,

Curt Grisham